

REMARKS

Applicants note that all amendments, cancellations, and additions of Claims presented herein are made without acquiescing to any of the Examiner's arguments or rejections, and solely for the purpose of expediting the patent application process in a manner consistent with the PTO's Patent Business Goals (PBG),¹ and without waiving the right to prosecute the cancelled claims (or similar claims) in the future.

The Examiner has objected to Claims 19, 20, and 71 as being dependent upon a rejected base claim, but otherwise being allowable (Office Action, pg. 8). The Applicants have amended independent Claims 1 and 58 to include the elements of Claim 19 and 71 and canceled Claims 19 and 71. As such, the Applicants respectfully request that the objection be withdrawn.

In the office action dated 1/27/05, the Examiner made several rejections. The rejections are listed below in the order in which they are herein addressed.

I) Claims 6-8, 21-25, and 87 are rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite;

II) Claims 1-3, 5, 7, 17-18, 21, 22, 25, 58 and 87 are rejected under 35 U.S.C. 103, as allegedly being obvious in light of Jindal et al. (U.S. Patent 6,358,692; hereinafter Jindal)

III) Claims 1-7, 17, 18, 21-23, 25, 58 and 87 are rejected under 35 U.S.C. as allegedly being obvious in light of Jindal in view of Hansson et al (U.S. Patent 4,312,739; hereinafter Hansson); and

IV) Claims 1-3, 5-8, 17, 18, 21, 22, 24, 25, 58 and 87 are rejected under 35 U.S.C. as allegedly being obvious in light of Jindal in view of Verentichikov et al. (U.S. 6,545,268; hereinafter Verentichikov).

¹ 65 Fed. Reg. 54603 (Sept., 8, 2000).

I. The Claims are Definite

The Examiner has rejected Claims 6-8, 21-25, and 87 under 35 U.S.C. 112, second paragraph, as allegedly being indefinite (Office Action, pg. 3). In particular, the Examiner states "Claim 87 depends from cancelled claim 72 and therefore is vague and indefinite as to what limitations are meant therein." (Office Action, pg. 3). As described below, the Applicants have cancelled Claim 87 for other reasons. As such, the rejection is moot.

The Examiner further states "Claims 6-8, 21, 24 and claims dependent therefrom, which contain abbreviations such as HPLC, ESI, oa, TOF, etc. are vague and indefinite as to what is specifically meant thereby due to such abbreviations unless replaced with their full names of the full names in parenthesis therewith." (Office Action pg. 3). The Applicants respectfully disagree with the rejections. Nonetheless, in order to further the business interests of the Applicants and while reserving the right to prosecute the original (or similar) claims in the future, the Applicants have amended Claims 6-8 to include the full names of all abbreviations and have canceled Claims 21 and 24 for other reasons (see below). As such, the Applicants respectfully request that the rejection be withdrawn.

II. The Claims are not Obvious


The Examiner has rejected Claims 1-3, 5, 7, 17-18, 21, 22, 25, 58 and 87 under 35 U.S.C. 103, as allegedly being obvious in light of Jindal (Office Action, pg. 4). The Examiner has further rejected Claims 1-7, 17, 18, 21-23, 25, 58 and 87 under 35 U.S.C. as allegedly being obvious in light of Jindal in view of Hansson (Office Action, pg. 6). The Examiner has additionally rejected Claims 1-3, 5-8, 17, 18, 21, 22, 24, 25, 58 and 87 under 35 U.S.C. as allegedly being obvious in light of Jindal in view of Verentichikov (Office Action, pg. 7). The Applicants respectfully disagree with the rejections and submit that the Claims are not obvious. Nonetheless, in order to further the business interests of the Applicants and while reserving the right to prosecute the original (or similar) claims in the future, the Applicants have canceled Claims 21-25, 58 and 87 and amended Claims 1 and 58. The amended claims incorporate the elements of Claims 19 and 71, which the Examiner has indicated are allowable (Office Action, pg. 8). As such, the Applicants respectfully request that the rejection be withdrawn. As the

Examiner has indicated that Claims 33, 35, 39, 48, 50, 73-77, 80-82 and 91 are allowable, the Applicants respectfully request that the case be passed to allowance.

CONCLUSION

If a telephone interview would aid in the prosecution of this application, the Examiner is encouraged to call the undersigned collect at (618) 218-6900.

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